

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

)

CASE NO. 8:06CR365

)

Plaintiff,

)

v.

)

**MEMORANDUM
AND ORDER**

)

NICOLE LaFOE,

)

)

Defendant.

)

)

This matter is before the Court on the Defendant's Statement of Appeal (Filing No. 34), seeking reconsideration of the Magistrate Judge's Order dated March 15, 2007, denying her request for a continuance of trial. I have considered the Defendant's Statement of Appeal. I understand that the Defendant has been represented by the Office of the Federal Defender since December 2006, and that the experienced attorney who is now leading the Defendant's representation was recently assigned to the case.

According to NECrimR 54.2(c): "The district judge will not modify, set aside, or remand to the magistrate judge any nondispositive order or portion thereof unless clearly erroneous or contrary to law."

There is nothing in the Magistrate Judge's Order that is clearly erroneous or contrary to law. Although the government's counsel has no objection to a continuance, I have confidence that the matter can be well-prepared for trial before March 21, 2007. Accordingly,

IT IS ORDERED:

1. The Defendant's Statement of Appeal (Filing No. 34) is denied, and the Magistrate Judge's Order dated March 15, 2007 (Filing No. 31) is expressly affirmed;

2. Trial in this matter is scheduled to begin on **Wednesday, March 21, 2007**, commencing at **9:00 a.m.**, or as soon thereafter as the same may be tried, before District Judge Laurie Smith Camp, in Courtroom No. 2, Third Floor, Roman L. Hruska Courthouse, 111 S. 18th Plaza, Omaha, Nebraska. A Pretrial Conference, beginning at **8:45 a.m.**, **will be held in chambers** prior to the start of trial; and

3. Counsel is advised that street clothes **must be provided** for the Defendant in any trial proceedings.

DATED this 16th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge